



6-24-05

TRF 1641\$

Express Mail No. ER 517841842US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Confirmation No.: 7980

Serial No.: 10/676,694

Art Unit: 1641

Filed: September 30, 2003

Examiner: To be assigned

For: TISSUE PROTECTIVE CYTOKINE  
RECEPTOR COMPLEX AND  
ASSAYS FOR IDENTIFYING  
TISSUE PROTECTIVE COMPOUNDS

Attorney Docket No.:  
10165-027-999

**REQUEST FOR CORRECTION OF INVENTORSHIP  
UNDER 37 C.F.R. § 1.48(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Rule 48(a) of the Rules of Practice, it is respectfully requested that the inventorship of the above-identified application be amended to include Thomas Coleman as an applicant/inventor. At the time the above-identified application was filed Thomas Coleman was omitted without deceptive intention as co-inventor of the invention disclosed. Thus, the invention presently claimed in the above-identified application was jointly invented by Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, Maddalena Fratelli, Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, Jens Gerwien, and Thomas Coleman.

In support of this Request and in accordance with 37 C.F.R. § 1.48(a), submitted herewith are:

- (a) a Statement By Inventor To Be Added Pursuant To 37 C.F.R. § 1.48(a)(2) executed by Thomas Coleman on February 28, 2005 (Exhibit A);
- (b) a New Declaration for the Non-Provisional Application in three counterparts, executed by the inventors Michael Brines, Anthony

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Cerami, Pietro Ghezzi, Fabio Fiordaliso, Maddalena Fratelli, Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, Jens Gerwien, and Thomas Coleman on March 7, 2005, March 3, 2005, February 28, 2005, February 28, 2005, March 1, 2005, May 30, 2005, May 30, 2005, June 2, 2005, June 2, 2005, June 3, 2005, June 15, 2005, respectively (Exhibit B);

- (c) a Consent By Assignee for Correction of Inventorship Pursuant to 37 C.F.R. § 1.48(a)(5) executed by Anthony Cerami on behalf of The Kenneth S. Warren Institute, Inc. on March 3, 2005 (Exhibit C);
- (d) a Consent by Assignee for Correction of Inventorship Pursuant to 37 C.F.R. § 1.48(a)(5) executed by Lars Kjerrumgaard on behalf of H. Lundbeck A/S on June 8, 2005 (Exhibit D);
- (e) copies of new Assignments with Recordation Form Cover Sheets (Exhibit E).

Inventors Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, and Maddalena Fratelli assigned their rights in the above-identified application and invention to The Kenneth S. Warren Institute, Inc. in an Assignment executed July 6, 2004 and July 8, 2004. Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, and Jens Gerwien assigned their rights in the above-identified application and invention to H. Lundbeck A/S in an Assignment executed July 26, 2004. Subsequently, due to minor defects in the original Assignment, inventor Mette Nielsen assigned his/her rights in the above-identified application and invention to H. Lundbeck A/S in a new Assignment executed April 7, 2005. Inventors Marcel Leist, Jens Gerwien, Lars Ostergaard Pedersen, and Thomas Sager assigned their rights in the above-identified application and invention to H. Lundbeck A/S in a new Assignment executed May 30, 2005 and June 2, 2005. Inventor Thomas Coleman assigned his rights in the above-identified application and invention to The Kenneth S. Warren Institute, Inc. in a new Assignment executed February 28, 2005. Accordingly, all rights, title and interest in, to and under the subject application and invention reside in The Kenneth S. Warren Institute, Inc. and H. Lundbeck A/S. The new Assignments are being submitted for

recordation concurrently herewith under separate cover. Copies of the new Assignments along with the Recordation Form Cover Sheets are enclosed.

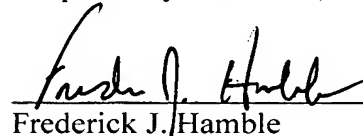
Upon grant of this request, Applicants respectfully request that an amended filing receipt be issued in connection with the above-identified patent application listing Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, Maddalena Fratelli, Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, Jens Gerwien and Thomas Coleman as co-inventors of the disclosed subject matter.

A fee of \$130.00 is believed to be due pursuant to 37 C.F.R. § 1.17(i), is enclosed, along with a copy of this request.

Respectfully submitted,

Date: June 15, 2005

By:

  
Frederick J. Hamble

42,623

(Reg. No.)

Warren Pharmaceuticals, Inc.  
712 Kitchawan Road  
Ossining, New York 10562  
(914) 762-7586



Express Mail No. ER 517841842US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Serial No.: 10/676,694

Filed: September 30, 2003

For: TISSUE PROTECTIVE CYTOKINE  
RECEPTOR COMPLEX AND  
ASSAYS FOR IDENTIFYING  
TISSUE PROTECTIVE  
COMPOUNDS

Confirmation No.: 7980

Art Unit: 1641

Examiner: To be assigned

Attorney Docket No.: 10165-027-999

**STATEMENT BY THE INVENTOR TO BE ADDED  
PURSUANT TO 37 C.F.R. §1.48 (a)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Thomas Coleman, have reviewed and understand the content of the Request for Correction of Inventorship Under 37 C.F.R. §1.48(a) submitted concurrently herewith to amend the inventorship of the above-identified application to correctly name all of the inventors. I hereby state that my name was inadvertently omitted, as a co-inventor, and there was no deceptive intent on my part in the omission of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2/28/05  
Date

Thomas A. Coleman  
Thomas Coleman

**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\***

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**TISSUE PROTECTIVE CYTOKINE RECEPTOR COMPLEX AND ASSAYS FOR IDENTIFYING TISSUE PROTECTIVE COMPOUNDS**

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
- ☒ was filed in the United States on September 30, 2003 as Application No. 10/676,694 (for declaration not accompanying application) with amendment(s) filed on (if applicable)
- ☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION				
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE
60/465,891	April 25, 2003

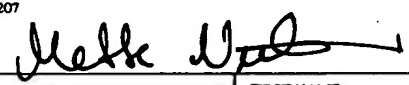
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

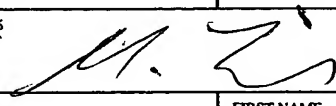
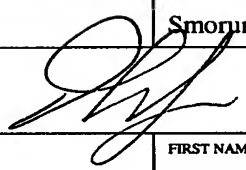
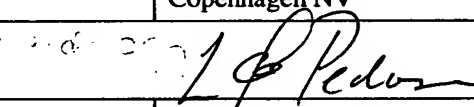
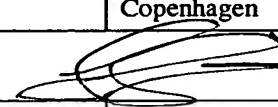

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

\* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Brines	FIRST NAME Michael	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Woodbridge	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 1 Wepawaug Road	CITY Woodbridge	STATE OR COUNTRY CT	ZIP CODE 06525
	SIGNATURE OF INVENTOR 201 <i>Michael Brines</i>			DATE 3-7-05	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Cerami	FIRST NAME Anthony	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Croton-On-Hudson	STATE OR FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 49 Bramblebush Road	CITY Croton-On-Hudson	STATE OR COUNTRY NY	ZIP CODE 10520
	SIGNATURE OF INVENTOR 202 <i>A. Cerami</i>			DATE 2/3/05	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Ghezzi	FIRST NAME Pietro	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Milan	STATE OR FOREIGN COUNTRY Italy	COUNTRY OF CITIZENSHIP Italy	
	POST OFFICE ADDRESS	STREET Via Mac Mahon No. 82	CITY Milan	STATE OR COUNTRY Italy	ZIP CODE 20155
	SIGNATURE OF INVENTOR 203 <i>P. Ghezzi</i>			DATE 2-28-2005	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Fiordaliso	FIRST NAME Fabio	MIDDLE NAME <i>Fiordaliso</i>	
	RESIDENCE & CITIZENSHIP	CITY Milan	STATE OR FOREIGN COUNTRY Italy	COUNTRY OF CITIZENSHIP Italy	
	POST OFFICE ADDRESS	STREET Via Lorenzo Di Credi 10	CITY Milan	STATE OR COUNTRY Italy	ZIP CODE 20149
	SIGNATURE OF INVENTOR 204 <i>Fabio Fiordaliso</i>			DATE 2-28-2005	
2 0 5	FULL NAME OF INVENTOR	LAST NAME Fratelli	FIRST NAME Maddalena	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Milan	STATE OR FOREIGN COUNTRY Italy	COUNTRY OF CITIZENSHIP Italy	
	POST OFFICE ADDRESS	STREET Via Costanza 4	CITY Milan	STATE OR COUNTRY Italy	ZIP CODE 20146
	SIGNATURE OF INVENTOR 205 <i>Maddalena Fratelli</i>			DATE 3-1-2005	

206	FULL NAME OF INVENTOR	LAST NAME Leist	FIRST NAME Marcel	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Valby	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Kloverbladsgade 14.1	CITY Valby	STATE OR COUNTRY Denmark	ZIP CODE DK - 2500
	SIGNATURE OF INVENTOR 206			DATE	
207	FULL NAME OF INVENTOR	LAST NAME Nielsen	FIRST NAME Mette	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Soborg	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Denmark	
	POST OFFICE ADDRESS	STREET Gladsaxevej 73 3.th	CITY Soborg	STATE OR COUNTRY Denmark	ZIP CODE DK - 2860
	SIGNATURE OF INVENTOR 207 			DATE 30-MAY-2005	
208	FULL NAME OF INVENTOR	LAST NAME Sager	FIRST NAME Thomas	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Smorum	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Denmark	
	POST OFFICE ADDRESS	STREET Stormosevej 35	CITY Smorum	STATE OR COUNTRY Denmark	ZIP CODE DK - 2765
	SIGNATURE OF INVENTOR 208			DATE	
209	FULL NAME OF INVENTOR	LAST NAME Pedersen	FIRST NAME Lars	MIDDLE NAME Ostergaard	
	RESIDENCE & CITIZENSHIP	CITY Copenhagen	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Denmark	
	POST OFFICE ADDRESS	STREET Ved Vigen 14	CITY Copenhagen NV	STATE OR COUNTRY Denmark	STREET DK - 2400
	SIGNATURE OF INVENTOR 209			DATE	
210	FULL NAME OF INVENTOR	LAST NAME Gerwien	FIRST NAME Jens	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Copenhagen	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Haraldsgade 52, 1.tv	CITY Copenhagen	STATE OR COUNTRY Denmark	ZIP CODE DK - 2100
	SIGNATURE OF INVENTOR 210			DATE	
211	FULL NAME OF INVENTOR	LAST NAME Coleman	FIRST NAME Thomas	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Mount Kisco	STATE OR FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 20 Emery Street	CITY Mount Kisco	STATE OR COUNTRY NY	ZIP CODE 10549
	SIGNATURE OF INVENTOR 211			DATE	

2 0 6	FULL NAME OF INVENTOR	LAST NAME Leist	FIRST NAME Marcel	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Valby	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Kloverbladsgade 14.1	CITY Valby	STATE OR COUNTRY Denmark	ZIP CODE DK - 2500
	SIGNATURE OF INVENTOR 206 			DATE 30. May 05	
2 0 7	FULL NAME OF INVENTOR	LAST NAME Nielsen	FIRST NAME Mette	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Soborg	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Denmark	
	POST OFFICE ADDRESS	STREET Gladsaxevej 73 3.th	CITY Soborg	STATE OR COUNTRY Denmark	ZIP CODE DK - 2860
	SIGNATURE OF INVENTOR 207			DATE	
2 0 8	FULL NAME OF INVENTOR	LAST NAME Sager	FIRST NAME Thomas	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Smorum	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Denmark	
	POST OFFICE ADDRESS	STREET Stormosevej 35	CITY Smorum	STATE OR COUNTRY Denmark	ZIP CODE DK - 2765
	SIGNATURE OF INVENTOR 208 			DATE 4/6-05	
2 0 9	FULL NAME OF INVENTOR	LAST NAME Pedersen	FIRST NAME Lars	MIDDLE NAME Ostergaard	
	RESIDENCE & CITIZENSHIP	CITY Copenhagen	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Denmark	
	POST OFFICE ADDRESS	STREET Ved Vigen 14	CITY Copenhagen NV	STATE OR COUNTRY Denmark	STREET DK - 2400
	SIGNATURE OF INVENTOR 209 			DATE 3/6 2005	
2 1 0	FULL NAME OF INVENTOR	LAST NAME Gerwien	FIRST NAME Jens	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Copenhagen	STATE OR FOREIGN COUNTRY Denmark	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Haraldsgade 52, 1.tv	CITY Copenhagen	STATE OR COUNTRY Denmark	ZIP CODE DK - 2100
	SIGNATURE OF INVENTOR 210 			DATE 3/6-2005	
2 1 1	FULL NAME OF INVENTOR	LAST NAME Coleman	FIRST NAME Thomas	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Mount Kisco	STATE OR FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 20 Emery Street	CITY Mount Kisco	STATE OR COUNTRY NY	ZIP CODE 10549
	SIGNATURE OF INVENTOR 211 			DATE 6/15/05	





Express Mail No. ER 517841842US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Brines et al.  
of:

Serial No.: 10/676,694

Filed: September 30, 2003

For: TISSUE PROTECTIVE CYTOKINE  
RECEPTOR COMPLEX AND  
ASSAYS FOR IDENTIFYING  
TISSUE PROTECTIVE  
COMPOUNDS

Confirmation No.: 7980

Art Unit: 1641

Examiner: To be assigned

Attorney Docket 10165-027-999  
No.:

**CONSENT BY ASSIGNEE FOR CORRECTION OF  
INVENTORSHIP UNDER 37 C.F.R. 1.48(a)(5)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Kenneth S. Warren Institute, Inc., having an address at 712 Kitchawan Road, Ossining, NY 10562, and partial assignee of the entire right, title and interest in, to and under the invention and U.S. patent application Serial No. 10/676,694, filed September 30, 2003, entitled "Tissue Protective Cytokine Receptor Complex and Assays for Identifying Tissue Protective Compounds" hereby consents to amendment of the inventorship of Application Serial No. 10/676,694 to name Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, Maddalena Fratelli, Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, Jens Gerwien, and Thomas Coleman as actual inventors.

The Kenneth S. Warren Institute, Inc. certifies that it is the partial-assignee of the entire right, title and interest in, to and under U.S. patent application Serial No. 10/676,694, pursuant to an assignment executed by Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, and Maddalena Fratelli, executed July 6, 2004 and July 8, 2004. Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, and Maddalena Fratelli are presently named co-inventors with Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, and Jens Gerwien, who assigned their rights in the above-identified application and invention to H. Lundbeck A/S in an Assignment executed July 26, 2004 and July 29, 2004. A copy of the Assignments, together with the Recordation Form Cover Sheet submitted to the United States Patent and Trademark Office on August 9, 2004, is attached hereto as Exhibit A.

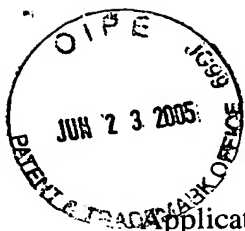
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

THE KENNETH S. WARREN INSTITUTE, INC.

Date: March 3, 2005

By: A. Cerami

Name: Anthony Cerami  
Title: President/Director



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Attorney Docket No.: 10165-027-999

**CONSENT BY ASSIGNEE FOR CORRECTION OF  
INVENTORSHIP UNDER 37 C.F.R. 1.48(a)(5)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

H. Lundbeck A/S, having an address at Ottiliavej 9, DK-2500, Valby-Copenhagen, Denmark, and partial assignee of the entire right, title and interest in, to and under the invention and U.S. patent application Serial No. 10/676,694, filed September 30, 2003, entitled "Tissue Protective Cytokine Receptor Complex and Assays for Identifying Tissue Protective Compounds" hereby consents to amendment of the inventorship of Application Serial No. 10/676,694 to name Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, Maddalena Fratelli, Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, Jens Gerwien, and Thomas Coleman as actual inventors.

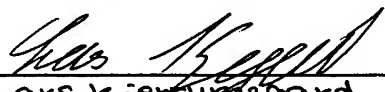
H. Lundbeck A/S certifies that it is the partial assignee of the entire right, title and interest in, to and under U.S. patent application Serial No. 10/676,694, pursuant to an assignment executed by Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, and Jens Gerwien on July 26, 2004 and July 29, 2004. Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, and Jens Gerwien are presently named co-inventors with Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, and Maddalena Fratelli, who assigned their rights in the above-identified application and invention to The Kenneth S. Warren Institute, Inc. in an Assignment executed July 6, 2004 and July 8, 2004. A copy of the Assignments, together with the Recordation Form Cover Sheet submitted to the United States Patent and Trademark Office on August 9, 2004, is attached hereto as Exhibit A.

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H. LUNDBECK A/S

Date: 8 June 2005

By:

  
Name: Lars Kierulff  
Title: Section Head, Corporate Patents